

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five dollars (\$25.00) nor more than Two Thousand Dollars (\$2000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 23rd day of September 2003.

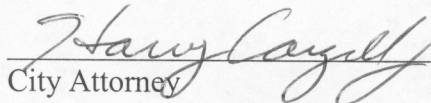
ATTEST:

APPROVED:

Connie Hooks, City Secretary

RON SILVIA, MAYOR

APPROVED:



City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from A-O Agricultural Open to R-1 Single Family Residential.

TRACT ONE
63.53 ACRES

BEING ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON SURVEY, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS AND BEING PART OF THE 65.369 ACRE TRACT DESCRIBED IN THE DEED FROM W. BARTON MUNRO, TRUSTEE AND JOHN LAMPO, TRUSTEE TO EDELWEISS GARTENS VENTURE RECORDED IN VOLUME 5327, PAGE 118 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY AND ALL OF THE 6.000 ACRE TRACT DESCRIBED AS LOT 1, BALD PRAIRIE SUBDIVISION RECORDED IN VOLUME 321, PAGE 571 OF THE BRAZOS COUNTY DEED RECORDS, SAID TRACT BEING THE SAME LAND CONVEYED BY CONTRACT OF SALE AND PURCHASE DATED JULY 6, 1994 FROM THE VETERANS LAND BOARD OF TEXAS TO GLEN A. PRICE, RECORDED IN VOLUME 2155, PAGE 201 (O.R.B.C.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "B," AND SHOWN GRAPHICALLY IN EXHIBIT "D."

The following property is rezoned from A-O Agricultural Open to R-2 Duplex Residential.

TRACT TWO
7.84 ACRES

BEING ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON SURVEY, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS, AND BEING PART OF THE 65.369 ACRE TRACT DESCRIBED IN THE DEED FROM W. BARTON MUNRO, TRUSTEE AND JOHN LAMPO, TRUSTEE TO EDELWEISS GARTENS VENTURE RECORDED IN VOLUME 5327, PAGE 188 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "C," AND SHOWN GRAPHICALLY IN EXHIBIT "D."

FIELD NOTES
Proposed R-1 Zoning
63.53 Acres

Being all that certain tract or parcel of land lying and being situated in the ROBERT STEVENSON SURVEY, Abstract No. 54 in College Station, Brazos County, Texas and being part of the 65.369 acre tract described in the deed from W. Barton Munro, Trustee and John Lampo, Trustee to Edelweiss Gartens Venture recorded in Volume 5327, Page 118 of the Official Records of Brazos County (O.R.B.C.) and all of the 6.000 acre tract described as Lot 1, Bald Prairie Subdivision recorded in Volume 321, Page 571 of the Brazos County Deed Records (B.C.D.R.), said tract being the same land conveyed by Contract of Sale and Purchase dated July 6, 1994 from the Veterans Land Board of Texas to Glen A. Price, recorded in Volume 2155, Page 201 (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a 1/2-inch iron rod set for the north corner of said 65.369 acre tract and the northwest corner of Bald Prairie Subdivision according to the plat recorded in Volume 321, Page 571 (B.C.D.R.), said iron rod also marking an angle point in the southeast line of a 86.028 acre Edelweiss Gartens Venture tract as described in Volume 4167, Page 212 of the Official Records of Brazos County, Texas (O.R.B.C.);

THENCE: S 48° 37' 30" E along the common line of said 65.369 acre tract and said Bald Prairie Subdivision for a distance of 1269.52 feet to a found 1/4-inch iron rod marking the south corner of Lot 4 of said Bald Prairie Subdivision;

THENCE: N 34° 42' 38" E along the common line of said 65.369 acre tract, said line also being the southeast line of said Lot 4 for a distance of 374.90 feet to a found 1/2-inch iron rod for corner, said iron rod also being in the southwest right-of-way line of Renee Lane (based on a 60' width)

THENCE: S 48° 39' 14" E along said right-of-way line for a distance of 43.32 feet to a found 1/2-inch iron rod marking the Point of Curvature of a curve the right;

THENCE: 17.17 feet continuing along said right-of-way line along the arc of said curve having a central angle of 03° 56' 48", a radius of 249.19 feet, a tangent of 8.59 feet and a long chord bearing S 46° 40' 50" E at a distance of 17.16 feet to a 1/2-inch iron rod set for the most easterly corner of the said 65.369 acre tract, said iron rod also marking the north corner of the 4.32 acre Allen A. Minor tract described in Volume 445, Page 264 (B.C.D.R.);

THENCE: S 34° 43' 44" W along the common line of said 65.369 acre tract and said 4.32 acre tract, said line also being through the interior of Lot 3 Bald Prairie Subdivision for a distance of 366.81 feet to a found 1/2-inch iron rod for an angle point;

THENCE: S 34° 01' 23" W continuing along said common line for a distance of 435.45 feet to a 1/2-inch iron rod set for corner, said iron rod also being in the common line of Lot 1 and Lot 3 of said Bald Prairie Subdivision;

THENCE: S 47° 11' 54" E for a distance of 480.33 feet to the east corner of said Lot 1;

THENCE: S 44° 49' 42" W for a distance of 533.33 feet along the southeast line of said Lot 1 to a set 1/2-inch iron rod for corner, said corner also being in the northwest line of the Dennis B. Herd 5 acre tract described in Volume 436, Page 44 (B.C.D.R.)

THENCE: S 44° 50' 50" W along the southeast line of said 65.369 acre tract, said line being common with the said 5 acre Herd Tract and the Charles B. Carnes 5 acre tract described in Volume 433, Page 14, at 633.32 feet pass a found 1/2-inch iron rod marking the northwest corner of the said Carnes tract, said iron rod also being the north corner of the 5 acre B.D. Pittman tract as described in Volume 1666, Page 191 (O.R.B.C.), continue along said Pittman tract for a total distance of 800.36 feet to a 1/2-inch iron rod set for corner, said iron rod being in the proposed northeast right-of-way line of State Highway 40;

THENCE: along said proposed right-of-way for the following five (5) calls:

- 1) N 49° 15' 58" W for a distance of 113.03 feet to a found brass disk stamped "Texas Department of Transportation" set in concrete;
- 2) N 52° 07' 15" W at 131.41 feet pass a found brass disk stamped "Texas Department of Transportation" set in concrete, continue for a total distance of 394.07 feet to a found brass disk stamped "Texas Department of Transportation" set in concrete;
- 3) N 49° 21' 44" W for a distance of 131.42 feet to a found brass disk stamped "Texas Department of Transportation" set in concrete;

63.53 Acres

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4) N 50° 42' 22" W for a distance of 262.57 feet to a 1/2-inch iron rod set for corner and

5) N 49° 28' 37" W for a distance of 233.14 feet for corner;

THENCE: N 41° 41' 27" E into the interior of said 65.369 acre tract for a distance of 510.68 feet for corner;

THENCE: N 48° 18' 33" W for a distance of 659.36 feet to a point in the beforementioned 86.28 acre Edelweiss Gartens Venture tract for corner;

THENCE: N 41° 49' 45" E along the common line of the said 86.028 acre tract and the said 65.369 acre tract for a distance of 365.98 feet to a found "T" post for corner;

THENCE: N 41° 32' 26" E along said line for a distance of 927.32 feet to the POINT OF BEGINNING and containing 63.53 acres of land, more or less.

FIELD NOTES
Proposed R-2 Zoning
7.84 Acres

Being all that certain tract or parcel of land lying and being situated in the ROBERT STEVENSON SURVEY, Abstract No. 54 in College Station, Brazos County, Texas and being part of the 65.369 acre tract described in the deed from W. Barton Munro, Trustee and John Lampo, Trustee to Edelweiss Gartens Venture recorded in Volume 5327, Page 118 of the Official Records of Brazos County (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found iron rod with aluminum cap stamped "TxDOT ROW MARKER" for the west corner of the said 65.369 acre tract, the south corner of EDELWEISS GARTENS, PHASE FOUR Subdivision as recorded in Volume 5199, Page 287 and being in the northeast line of the proposed State Highway 40 right-of-way;

THENCE: N 41° 49' 45" E along the common line of said EDELWEISS GARTENS, PHASE FOUR Subdivision and said 65.369 acre tract, at 180.05 feet pass the southeast corner of said subdivision, continue for a total distance of 524.15 feet for corner;

THENCE: S 48° 18' 33" E into the interior of said 65.369 acre tract for a distance of 659.36 feet for corner;

THENCE: S 41° 41' 27" W for a distance of 510.68 feet for corner, said corner also being in the beforementioned northeast line of the State Highway 40 right-of-way;

THENCE: N 49° 28' 37" W for a distance of 660.76 feet to the POINT OF BEGINNING and containing 7.84 acres of land, more or less.

R-1

A-0

REZONING

Case: 03-198

EDELWEISS GARTENS

City of College Station, Texas
DEVELOPMENT REVIEW

